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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RICHARD KADREY, et al.,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 3:23-cv-03417-VC

**DECLARATION OF MAXWELL V. PRITT
IN SUPPORT OF PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY JUDGMENT**

I, Maxwell V. Pritt, declare as follows:

1. I am an attorney duly licensed to practice in the State of California. I am a partner in the San Francisco, California office of Boies Schiller Flexner, LLP (“BSF”), counsel for Plaintiffs in the above-captioned action. I have personal knowledge of the matters stated herein and if called upon, I can competently testify thereto. I make this declaration pursuant to 28 U.S.C. Section 1746 and Local Rule 6-3 in support of Plaintiffs’ Motion for Partial Summary Judgment.

2. Attached as **Appendix A** is a summary of Plaintiffs’ registered copyrights for the Copyrighted Books at issue in this Motion.

3. Attached as **Appendix B** is a series of outputs generated from the Meta.AI chatbot, last accessed March 10, 2025.

4. Attached as **Exhibit 1** are true and correct copies of Plaintiffs’ Copyright Registrations.

5. Attached as **Exhibit 2** are true and correct copies of excerpts from Meta’s Responses to Plaintiffs’ Requests for Admission.

6. Attached as **Exhibit 3** is a table summarizing the quantity of copies of each of Plaintiffs’ Books found in Meta’s training datasets and torrented datasets.

7. Attached as **Exhibit 4** are true and correct copies of excerpts of Plaintiffs’ Responses to Meta’s Requests for Admission.

8. Attached as **Exhibit 5** are true and correct copies of excerpts of the transcript of the deposition of Arun Rao, which took place on December 13, 2024.

9. Attached as **Exhibit 6** is a true and correct copy of excerpts of Meta’s Amended Responses to Plaintiffs’ First and Third Set of Interrogatories.

10. Attached as **Exhibit 7** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00093345. This document is a native Excel spreadsheet, which Plaintiffs will provide to the Court in an electronic service copy.

11. Attached as **Exhibit 8** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00089020.

12. Attached as **Exhibit 9** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00046383.

13. Attached as **Exhibit 10** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00044759.

14. Attached as **Exhibit 11** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00046203.

15. Attached as **Exhibit 12** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00157008.

16. Attached as **Exhibit 13** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00150660.

17. Attached as **Exhibit 14** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00045402.

18. Attached as **Exhibit 15** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00232214.

19. Attached as **Exhibit 16** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00171954.

20. Attached as **Exhibit 17** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00107954.

21. Attached as **Exhibit 18** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00074729.

22. Attached as **Exhibit 19** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00154729.

23. Attached as **Exhibit 20** are true and correct copies of excerpts of the transcript of the Rule 30(b)(1) deposition of Eugene Nho, which took place on December 6, 2024.

24. Attached as **Exhibit 21** are true and correct copies of excerpts of the transcript of the deposition of Yann LeCun, which took place on November 21, 2024.

25. Attached as **Exhibit 22** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00036819.

26. Attached as **Exhibit 23** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00057170.

27. Attached as **Exhibit 24** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00173041.

28. Attached as **Exhibit 25** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00150659.

29. Attached as **Exhibit 26** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00093951.

30. Attached as **Exhibit 27** is a true and correct copy of select excerpts from Plaintiffs' Opening Expert Report of Professor Cristina Videira Lopes.

31. Attached as **Exhibit 28** is a true and correct copy of select excerpts from Defendant's Opening Expert Report of Professor Lyle Ungar.

32. Attached as **Exhibit 29** is a true and correct copy of select excerpts from Plaintiffs' Rebuttal Expert Report of Professor Emily M. Bender.

33. Attached as **Exhibit 30** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00172691.

34. Attached as **Exhibit 31** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00158651.

35. Attached as **Exhibit 32** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00218170.

36. Attached as **Exhibit 33** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00159323.

37. Attached as **Exhibit 34** are true and correct copies of excerpts of the transcript of the Rule 30(b)(6) deposition of Michael Clark on the topic of torrenting, which took place on March 3, 2025.

38. Attached as **Exhibit 35** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00066092

39. Attached as **Exhibit 36** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00063689.

40. Attached as **Exhibit 37** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00054898.

41. Attached as **Exhibit 38** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00054433.

42. Attached as **Exhibit 39** are true and correct copies of excerpts of the transcript of the deposition of David Esiobu which took place on December 13, 2024.

43. Attached as **Exhibit 40** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00233188.

44. Attached as **Exhibit 41** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00234554.

45. Attached as **Exhibit 42** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00140688.

46. Attached as **Exhibit 43** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00152934.

47. Attached as **Exhibit 44** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00051952.

48. Attached as **Exhibit 45** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00146968.

49. Attached as **Exhibit 46** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00140774.

50. Attached as **Exhibit 47** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00142650.

51. Attached as **Exhibit 48** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00207194.

52. Attached as **Exhibit 49** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00233332.

53. Attached as **Exhibit 50** are true and correct copies of excerpts of the transcript of the deposition of Alex Boesenberg, which took place on November 18, 2024.

54. Attached as **Exhibit 51** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00235350.

55. Attached as **Exhibit 52** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00209134.

56. Attached as **Exhibit 53** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00235485.

57. Attached as **Exhibit 54** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00101583.

58. Attached as **Exhibit 55** are true and correct copies of excerpts of the transcript of the Rule 30(b)(1) deposition of Michael Clark, which took place on November 13, 2024.

59. Attached as **Exhibit 56** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00089791.

60. Attached as **Exhibit 57** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00160779.

61. Attached as **Exhibit 58** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00235448, as reproduced by Meta in placeholder form with fewer privilege redactions.

62. Attached as **Exhibit 59** are true and correct copies of excerpts of the transcript of the deposition of Michael Sinkinson, which took place on March 4, 2025.

63. Attached as **Exhibit 60** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00048149.

64. Attached as **Exhibit 61** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00232241.

65. Attached as **Exhibit 62** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00211848.

66. Attached as **Exhibit 63** is a true and correct copy of documents produced by Meta with the first Bates Numbers Meta_Kadrey_00233325 & 00233326. Document -326 was produced as an attachment to the WorkChat thread shown in -325.

67. Attached as **Exhibit 64** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00158387.

68. Attached as **Exhibit 65** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00232764.

69. Attached as **Exhibit 66** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00161213.

70. Attached as **Exhibit 67** are true and correct copies of excerpts of the transcript of the deposition of Barbara Frederiksen-Cross, which took place on March 6, 2025.

71. Attached as **Exhibit 68** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00204223.

72. Attached as **Exhibit 69** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00231275.

73. Attached as **Exhibit 70** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00204235.

74. Attached as **Exhibit 71** is a true and correct copy of Plaintiffs' Rebuttal Expert Report of Professor David R. Choffnes.

75. Attached as **Exhibit 72** is a true and correct copy of select excerpts from Defendant's Rebuttal Expert Report of Barbara Frederiksen-Cross.

76. Attached as **Exhibit 73** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00120239.

77. Attached as **Exhibit 74** are true and correct copies of excerpts of the transcript of the Rule 30(b)(1) deposition of Nikolay Bashlykov, which took place on December 6, 2024.

78. Attached as **Exhibit 75** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00093382. This document is a native Excel spreadsheet, which Plaintiffs will provide to the Court in an electronic service copy.

79. Attached as **Exhibit 76** is a true and correct copy of select excerpts from Plaintiffs' Opening Expert Report of Professor Daniel F. Spulber.

80. Attached as **Exhibit 77** are true and correct copies of excerpts of the transcript of the deposition of Sean Bell which took place on December 11, 2024.

81. Attached as **Exhibit 78** is a true and correct copy of Plaintiffs' Supplemental Expert Report of Professor Cristina Videira Lopes.

82. Attached as **Exhibit 79** is a true and correct copy of select excerpts from Plaintiffs' Rebuttal Expert Report of Professor Cristina Videira Lopes.

83. Attached as **Exhibit 80** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00232217.

84. Attached as **Exhibit 81** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00108008.

85. Attached as **Exhibit 82** are true and correct copies of excerpts of the transcript of the Rule 30(b)(6) deposition of Michael Clark, which took place on November 13 and 14, 2024.

86. Attached as **Exhibit 83** are true and correct copies of excerpts of the transcript of the deposition of Sergey Edunov, which took place on November 6, 2024.

87. Attached as **Exhibit 84** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00233487.

88. Attached as **Exhibit 85** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00054894.

89. Attached as **Exhibit 86** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_0000250. This document is a native Excel spreadsheet, which Plaintiffs will provide to the Court in an electronic service copy.

90. Attached as **Exhibit 87** are true and correct copies of excerpts of the transcript of the Rule 30(b)(6) deposition of Nikolay Bashlykov, which took place on December 6, 2024.

91. Attached as **Exhibit 88** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00128310.

92. Attached as **Exhibit 89** is a true and correct copy of select excerpts from Plaintiffs' Opening Expert Report of Professor Jonathan L. Krein.

93. Attached as **Exhibit 90** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00235739.

94. Attached as **Exhibit 91** are true and correct copies of excerpts of the transcript of the deposition of Sy Choudhury, which took place on December 5, 2024.

95. Attached as **Exhibit 92** is a true and correct copy of a document produced by Meta with the first Bates Number Meta_Kadrey_00235020.

96. Attached as **Exhibit 93** is a true and correct copy of a workpaper produced by Barbara Frederiksen-Cross entitled meta_ia_downloads.txt. This document is a native text file, which Plaintiffs will provide to the Court in an electronic service copy.

97. Attached as **Exhibit 94** is a true and correct copy of a workpaper produced by Barbara Frederiksen-Cross entitled meta_zlib_downloads.txt. This document is a native text file, which Plaintiffs will provide to the Court in an electronic service copy.

98. Attached as **Exhibit 95** is a true and correct copy of a workpaper produced by Barbara Frederiksen-Cross entitled meta_nonfic_downloads.txt. This document is a native text file, which Plaintiffs will provide to the Court in an electronic service copy.

99. Attached as **Exhibit 96** is a compilation of true and correct copies of excerpts of Plaintiffs' Copyrighted Books.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of March 2025 in San Francisco, California.

By: /s/ Maxwell V. Pritt
Maxwell V. Pritt